

COUNTY OF SAN DIEGO

Proposition A

(This proposition will appear on the ballot in the following form.)

PROP A **RURAL LANDS INITIATIVE.** Shall the Rural Lands Initiative, which requires any newly subdivided parcels on approximately 694,000 acres of rural land in northern and eastern San Diego County to be a minimum of 40, 80 or 160 acres, be approved?

This proposition requires approval by a simple majority (over 50%) of the voters.

<p>Full text of this proposition follows the arguments/rebuttals.</p>
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COUNTY COUNSEL'S IMPARTIAL ANALYSIS

You are asked to vote on the Rural Lands Initiative, which has been proposed by petition pursuant to the provisions of California law governing initiative measures.

This measure would make amendments to the San Diego County general plan. One amendment would add a "cornerstone goal" to the Regional Land Use Element of the general plan to ensure that urban development does not occur outside of country towns in rural areas in northern and eastern San Diego County unless approved by the voters.

This measure also would establish minimum parcel sizes for new parcels within an overlay area covering certain land in northern and eastern San Diego County. The minimum parcel size within Estate Development Areas and within Environmentally Constrained Areas Inside the County Water Authority Boundary would be 1 parcel per 40 acres (in other words, the property owner would generally be limited to building one residence per 40 acres). The minimum parcel size within Rural Development Areas would be 1 parcel per 80 acres. The minimum parcel size within Environmentally Constrained Areas Outside the County Water Authority Boundary would be 1 parcel per 160 acres.

The minimum parcel sizes would not preclude the use of clustering or density bonuses.

Certain exceptions to the minimum parcel sizes are allowed as set forth below:

- 1) to avoid an unconstitutional taking of property; or
- 2) to comply with state housing law if no alternative site could be used; or
- 3) where it is found that by a 4/5 vote of the Board of Supervisors upon a request of a landowner that:
 - a) there are no significant environmental effects;
 - b) there are no adverse impacts to land use patterns; and
 - c) there is access to existing public roads without the necessity of significant grading.

This measure would remain in effect until December 31, 2023.

A "yes" vote on the Proposition is a vote to adopt the Rural Lands Initiative.

A "no" vote on the Proposition is a vote against adopting the Rural Lands Initiative.

ARGUMENT IN FAVOR OF PROPOSITION A

Protect clean water and put an end to runaway growth in San Diego County by voting YES on A.

For too long, our political process has been dominated by special interests and developer money that have caused uncontrolled growth.

Our rivers, lakes, and streams—sources of clean drinking water—are threatened by urban runoff and pollutants. Forests and open space are being destroyed. Our freeways and local roads are congested. Traffic continues to get worse, polluting our air and destroying our quality of life.

YES on A would protect land around rivers, lakes, and streams, to preserve clean drinking water and protect beaches and coastal areas from polluted urban runoff.

YES on A would prevent increased traffic congestion and protect air quality. Nothing will solve our traffic crisis overnight, but if we don't do something, traffic will only get worse.

YES on A would limit growth in the rural areas of northern and eastern San Diego County, protecting open space from runaway development.

YES on A would preserve forests and family farms in the backcountry, to preserve our quality of life.

YES on A will avoid fire hazards, by preventing irresponsible development in rural areas where fire services are already stretched too thin.

YES on A will put guardianship of Prop. A in the hands of San Diego voters; changes to Prop. A's key provisions would require a vote of the people.

YES on A will save taxpayers dollars by allowing them to be invested in our urban areas, instead of wasted on poorly planned growth.

We can't wait while politicians and special interests turn San Diego into another Los Angeles.

Join the League of Women Voters, the American Lung Association, and community leaders throughout San Diego in protecting San Diego County's water, forests and farms.

Vote YES on A.

JIM PEUGH
San Diego Audubon Society

MARCO GONZALEZ
Chairman, Surfrider Foundation
San Diego Chapter

FRED KEELEY
Executive Director
Planning & Conservation League

DANIEL J. BRIMM
Julian Family Farmer

RICHARD LAWRENCE
Chairman, Affordable Housing Coalition of San Diego County

REBUTTAL TO THE ARGUMENT IN FAVOR OF PROPOSITION A
PROPONENTS' CLAIMS ARE CONTRADICTED BY THE FACTS:

Here are the facts, taken directly from the official **RURAL LANDS INITIATIVE IMPACT REPORT**, prepared by the San Diego County Department of Planning and Land Use:

"[Proposition A] produces potentially adverse regulatory, fiscal land use and other impacts." (Page 1)

"[Proposition A] relies on outmoded information, planning concepts, and land use classifications from the 1970s." (Page 8)

"[Proposition A] does not address sprawl growth in 72,500 acres . . . and ignores sprawl in many communities heavily affected by development pressures." (Page 7)

"[Proposition A leaves] over 11,300 acres of privately-owned land located within or adjacent to major rivers unprotected." (Page 6)

"[Proposition A] substantially reduces the voice of people who live in communities most affected by its actions." (Page 5)

"[Proposition A] does not protect many environmentally sensitive and open space lands . . . or any sensitive habitats or open space lands within Specific Plans." (Page 5)

"[Proposition A] contains no provisions for . . . permanent conservation of agricultural lands." (Page 7)

"Proposition A increases the threat of property losses from wildfires by promoting sprawling mini-estates in the backcountry, and reduces our ability to finance necessary infrastructure to fight these fires."

--Mark Muir, Chair, Golden State Firefighters Association

"Proposition A will cost taxpayers millions and make housing even less affordable than it is now. The Taxpayers Association strongly opposes Proposition A."

--Lisa Briggs, Executive Director, San Diego County Taxpayers Association

Please join us in voting NO on A – it's a mistake for San Diego's future.

BUD LEWIS
Mayor of Carlsbad

MARK B. PRICE
Chairman, Alpine Planning Group

JAMES E. WHALEN
Co-Chairperson
Alliance for Habitat Conservation

JAMES V. LACY
Chairman
Save Prop. 13 Committee

WILLIAM T. H. TULLOCH
Ramona Cattle Rancher

ARGUMENT AGAINST PROPOSITION A

VOTERS BEWARE – PROPOSITION A IS DECEPTIVE:

It was written behind closed doors by a San Francisco attorney – no public hearings, no environmental impact report, no public participation.

THE TRUTH ABOUT PROPOSITION A:

It won't stop development . . . it just shifts population to existing cities, creating more congestion, crowding, and making housing even less affordable.

It won't improve traffic . . . it pushes development into southern Riverside County, increasing long-distance commutes and congestion on San Diego County freeways.

It won't protect forests or watersheds . . . it encourages sprawling "mini-estates" in the backcountry, gobbling up land with no protections for natural resources.

It won't improve our environment . . . a loophole allows developers to get projects approved without an environmental impact report or public hearings.

It doesn't preserve farming . . . it threatens farming's future, restricting new farms smaller than 40 acres, even though nearly 70% of San Diego County's farms are less than 10 acres, blocking family farmers from buying smaller lots to expand, limiting their ability to pass farms on to their children.

It won't increase local control over growth . . . it takes control away from small-town residents to decide what is best for their own communities, shifting control to voters in the cities.

It's not fair to long-time property owners . . . who purchased land and paid taxes based on existing rules, but won't be able to use it as originally permitted.

It derails planning for San Diego's future . . . unraveling the county's general plan revision that includes community activists, farmers, environmentalists and land owners working to protect our backcountry and manage growth.

It doesn't reduce the influence of big developers . . . big developers will be the only ones able to afford the expensive, countywide election campaigns necessary to get projects approved.

Join us in opposing Proposition A – it's bad for San Diego.

DIANNE JACOB
San Diego County Supervisor
District 2

TERRY W. JOHNSON
Mayor
City of Oceanside

JANET SILVA KISTER
President
Farm Bureau San Diego County

JIM RUSSELL
Chair
Fallbrook Community Planning Group

DAVID R. NISSEN
Fire Chief
San Diego Rural Fire Protection District

REBUTTAL TO THE ARGUMENT AGAINST PROPOSITION A

Why are opponents of Proposition A so afraid of having the people, instead of the politicians, in charge of protecting our rural areas from runaway growth?

Maybe it's because they have an awful lot invested in the current system, which has totally failed the public but fills the campaign coffers of politicians.

Land speculators and their political allies are fighting Proposition A out of greed. By contrast, the organizations supporting Prop A, including the American Lung Association, water quality groups, conservation groups and the Affordable Housing Coalition, have endorsed YES on A because it protects drinking water and air quality for ALL of us.

FACT: Over the decades, politicians who have fought against effective growth management plans have taken millions in campaign contributions from sprawl developers.

FACT: According to "60 Minutes", the Farm Bureau receives most of its money from corporate interests and developers, not from actual farmers.

FACT: County bureaucrats and politicians have already wasted millions of taxpayer money on their own failed land-use plans, delayed yet again until December 2005. In the meantime, runaway growth continues to ruin our quality of life.

FACT: Our number one priority is protecting clean water in our reservoirs, rivers, lakes, and streams. Clean Water Action, the Surfrider Foundation, and San Diego Baykeeper have all endorsed Proposition A because it will protect beaches and coastal areas from increased polluted runoff.

See through the special interest scare tactics. Vote **YES on A** to protect San Diego from runaway growth.

DONNA FRYE
Council Member,
City of San Diego

MICHAEL STANLEY-JONES
State Director,
Clean Water Action

ART MADRID
Mayor,
City of La Mesa

BRUCE REZNIK
President,
San Diego BayKeeper

PETER Q. DAVIS
Chairman, San Diego Port Commission

THE CLEAN WATER AND FOREST INITIATIVE

To the Honorable Registrar of Voters of the County of San Diego: We, the undersigned, registered and qualified voters of the County of San Diego, hereby propose an initiative measure to amend the County of San Diego General Plan. We petition you to submit this measure to the Board of Supervisors of the County of San Diego for adoption without change, or for submission of the measure to the voters of the County of San Diego at the earliest regular or special election for which it qualifies. The measure provides as follows:

THE CLEAN WATER AND FOREST INITIATIVE

The people of the County of San Diego hereby ordain as follows:

SECTION ONE PURPOSE AND FINDINGS

A. Purpose: The purpose of this Initiative is to provide San Diego County citizens a voice in protecting some of San Diego County's most sensitive wilderness and open space lands from being prematurely or unnecessarily developed, and to limit the traffic, water pollution, and air pollution that results from intensive development in rural areas. The Initiative does so by amending the San Diego County General Plan ("General Plan") to require voter approval before specified rural lands in the northern and eastern portions of the County may be developed for urban uses. The Initiative also adopts related General Plan goals and policies to prevent traffic, water pollution, and air pollution.

B. Threat of Increased Traffic, Water Pollution, and Sprawling Development: Sprawling development poses an immediate and long-term threat to San Diego County's future. Specifically, uncontrolled urban and suburban development into open space, wilderness, forest, and sensitive natural resource areas threatens the public health, safety, and welfare by causing increased traffic congestion, water pollution in our rivers and coastal waters, decreased clean drinking water supplies, more severe air pollution, and growing conflicts between urban and rural land uses. Sprawling development also undercuts the viability of existing agriculture, including ranching, and generally results in more costly public services than compact, community-centered growth. These threats are exacerbated by pressure from private parties to develop wilderness, open space, and natural resource lands even where doing so is incompatible with current infrastructure and environmental constraints.

C. Protection of Water Quality and Water Supply: Water pollution in San Diego County results in large part from poorly planned development. Paving over grasslands, forests, and wetlands in rural areas of the County leads to increased pollution not only of local groundwater and drinking water supplies, but also of rivers and streams that ultimately carry that pollution to the coast. Accordingly, restricting urban development in rural areas is necessary to maintain and restore the region's groundwater, drinking water, rivers, streams and coastal areas.

D. Conservation of Forest Resources: San Diego County residents have repeatedly indicated their strong desire to conserve the natural beauty of the Cleveland National Forest, including the approximately 83,000 acres of privately owned land within the Forest. Over the next two decades, these lands—as well as privately owned lands within and adjacent to Cuyamaca Rancho and Anza-Borrego State Parks—will face renewed threats of development. Accordingly, additional protections are necessary to ensure that premature and inappropriate development of private lands within the Forest and these two State Parks does not occur. This Initiative strengthens the protections voters adopted in the 1993 Forest Conservation Initiative.

E. County Officials Should Not Be Allowed to Permit the "Los Angelization" of San Diego County: In recent years, County officials have refused to take the steps necessary to limit and direct development to the existing Country Towns ("CT") and urban areas. Instead, as the San Diego Association of Governments ("SANDAG") noted in a 1998 report, "The most glaring flaw in our current land use plans and policies is that they induce sprawl." "If left unchanged," the report predicts, "those plans will, through sprawl, high housing costs, excessive land consumption and traffic congestion, prevent us from reaching our goals, and over time, will degrade our quality of life. . . . All of these problems can be countered by making changes to our plans to direct the growth to where it belongs—our cities and urban areas."

County officials are currently updating the General Plan through a process—known as *General Plan 2020*—that was supposed to be completed several years ago. Unfortunately, the *General Plan 2020* process provides insufficient assurance that County officials will correct the problems identified by SANDAG. Accordingly, this Initiative is necessary to ensure that the County's new General Plan reflects the will of the voters and prevents County officials from turning San Diego into another Los Angeles County, with all of the associated water pollution, traffic, and air pollution.

F. Accommodation of Housing Needs: It is undisputed that San Diego County's population will continue to grow, with a resulting demand for housing. This Initiative allows the County to continue to meet its housing needs for all economic segments of the population, while encouraging sound planning, by directing residential development away from remote backcountry lands; in this way, services and infrastructure can be more efficiently provided in urban areas, including the County's existing Country Towns. The County can presently meet its housing needs without relying on lands protected by this Initiative. The Initiative also provides an exception so that, should the County need to rely on lands protected by this Initiative for housing in the future, the County Board of Supervisors may amend the General Plan to do so without voter approval.

G. Protection of Endangered Species: The County is working with state and federal regulatory agencies to develop and implement special programs, such as the Multiple Species Conservation Program ("MSCP") and the General Plan's Resource Conservation Areas ("RCA") overlay, to protect endangered species and other sensitive resources. Some of these programs already protect environmentally sensitive lands in certain areas of the County. This Initiative is intended to complement these special programs by providing further protections for important wilderness, forest, open space, and natural resource areas.

H. Effect of Initiative: To achieve the above-stated purposes, this Initiative would amend the General Plan to establish a Clean Water and Forest Overlay ("CWF Overlay") limiting development on specified rural lands in northern and eastern San Diego County. A new Cornerstone Goal of the General Plan would be adopted that requires voter approval for the County to allow intensive development of lands within the CWF Overlay. This Cornerstone Goal would thus help ensure that County land use decisions reflect County residents' determination that development should be guided so as to limit traffic, improve water quality, preserve open space and forest lands, and control air pollution. The County Board of Supervisors could grant exceptions to the Initiative, without voter approval, where necessary to avoid an unconstitutional taking, to comply with State housing laws, or to allow development compatible with the environmental purposes of this Initiative.

I. Exhibits: This Initiative identifies the location of the CWF Overlay by reference to certain "Regional Categories," "Land Use Designations," and "Community" and "Subregional" plan areas described in the General Plan. The General Plan's description of the referenced Regional Categories and Land Use Designations, as amended by this Initiative, is set forth in Section Three below. The general location of lands subject to the CWF Overlay, as well as the boundaries of the referenced Community and Subregional plan areas, are shown on Exhibit 1 to this Initiative. The Initiative does not amend the boundaries of any Community or Subregional plan areas.

Certain other documents are attached to this Initiative for reference purposes. These include the following: (1) the General Plan Regional Land Use Element's "Goals"; (2) the map of the Cleveland National Forest attached to the Regional Land Use Element; (3) the Regional Land Use Element's table entitled "Non-Urban Residential Designations and Use Regulations"; (4) the Regional Land Use Element's table entitled "Agricultural Designations and Use Regulations"; and (5) the Regional Land Use Element's table entitled "Special Purpose Designations and Use Regulations." These documents are attached hereto as Exhibits 2 through 6, respectively. Except as expressly provided in Sections Two and Three below, this Initiative does not adopt or amend any of the policies, designations, maps or text contained in Exhibits 1 through 6.

SECTION TWO GENERAL PLAN AMENDMENTS

General Plan Regional Land Use Element Text Amendments: The document entitled "Part II, Regional Land Use Element, San Diego County General Plan" (referred to in this Initiative as the "Regional Land Use Element" or "RLUE"), adopted by the San Diego County Board of Supervisors on January 3, 1979, as amended through May 22, 2003 ("Submittal Date"), is hereby readopted and amended as indicated below. Until December 31, 2023, except as expressly provided in this Initiative, none of the text added or readopted by this Section Two shall be further amended except by vote of the people of San Diego County. After December 31, 2023, the amendments contained in this Section Two may be further amended as appropriate without a vote of the people pursuant to the County's usual procedure for amending the General Plan. Text to be inserted into the General Plan is indicated in ***bold italic*** type, while text to be deleted is indicated in ~~strikeout~~. Text in standard type is existing text in the General Plan. To avoid confusion, headings in existing General Plan text that presently appear in **bold** or *italic* type are shown as plain text.

A. Regional Land Use Element Goals: The "OVERALL GOAL" of the Regional Land Use Element, commencing on page II-2, is reaffirmed, readopted and amended as the "Cornerstone Goal," as set forth below. For reference purposes, the full text of the Regional Land Use Element "Goals" as it existed on the Submittal Date is attached to this Initiative as Exhibit 2.

"1. CORNERSTONE GOAL ~~1. OVERALL GOAL~~

ENSURE THAT, PURSUANT TO THE CLEAN WATER AND FOREST INITIATIVE, INAPPROPRIATE URBAN LAND USE DEVELOPMENT DOES NOT OCCUR OUTSIDE OF COUNTRY TOWNS IN RURAL AREAS IN NORTHERN AND EASTERN SAN DIEGO COUNTY UNLESS SUCH DEVELOPMENT IS APPROVED BY THE VOTERS; ACCOMMODATE POPULATION GROWTH AND INFLUENCE ITS DISTRIBUTION IN ORDER TO PROTECT AND USE SCARCE RESOURCES WISELY; PRESERVE THE NATURAL ENVIRONMENT; PROVIDE ADEQUATE PUBLIC FACILITIES AND SERVICES EFFICIENTLY AND EQUITABLY; ASSIST THE PRIVATE SECTOR IN THE PROVISION OF ADEQUATE, AFFORDABLE HOUSING; AND PROMOTE THE ECONOMIC AND SOCIAL WELFARE OF THE REGION.

IT IS THE GOAL OF THE REGIONAL LAND USE ELEMENT ~~TO THAT;~~

- 1.1 AVOID THE TRAFFIC CONGESTION, WATER POLLUTION, AND AIR POLLUTION CAUSED BY SPRAWLING DEVELOPMENT ON RURAL LANDS BY MAINTAINING APPROPRIATE MINIMUM PARCEL SIZES IN THE RURAL AREAS OF NORTHERN AND EASTERN SAN DIEGO COUNTY;**
- 1.2 PROTECT WATER SUPPLIES, WETLANDS, AND COASTAL AREAS FROM POLLUTION BY LIMITING DEVELOPMENT AROUND RIVERS, LAKES, AND STREAMS IN THE RURAL AREAS OF NORTHERN AND EASTERN SAN DIEGO COUNTY.**
- 1.34 DIRECT URBAN GROWTH BE DIRECTED TO AREAS WITHIN OR ADJACENT TO EXISTING URBAN AREAS, AND RETAIN THAT THE RURAL SETTING AND LIFESTYLE OF THE REMAINING AREAS OF THE COUNTY BE RETAINED.**
- 1.42 PHASE GROWTH BE PHASED WITH FACILITIES.**
- 1.53 MANAGE GROWTH BE MANAGED IN ORDER TO PROVIDE FOR AFFORDABLE HOUSING AND BALANCED COMMUNITIES IN APPROPRIATE LOCATIONS IN THROUGHOUT THE UNINCORPORATED AREA.**
- 1.64 ENCOURAGE URBAN PORTIONS OF THE UNINCORPORATED AREA BE ENCOURAGED TO EITHER ANNEX TO AN ADJACENT CITY OR INCORPORATE AND THAT URBAN LEVELS OF SERVICE WHERE APPROPRIATE BE PROVIDED IN AN EFFICIENT MANNER AND BE FINANCED USING EQUITABLE FINANCING MECHANISMS."**

B. Clean Water and Forest Overlay: The General Plan's Regional Land Use Element contains several "special areas overlays" that modify the underlying land uses and/or densities otherwise permitted by the land use designation for a particular property. Specifically, existing Policy 2.7, entitled "SPECIAL AREA OVERLAYS," provides that "Where some unique physical, legal or resource situation exists, a Special Area Overlay shall be used on the appropriate land use map. This overlay designation shall: (1) indicate that the underlying designation is modified in some limiting way as to permitted use and/or permitted density; (2) define conditions in addition to those normally used in order to attain the underlying use and density. These overlays are applied to lands which have some unique characteristics which might indicate an implementing use regulation other than the primary use regulation is appropriate."

To achieve the purposes of this Initiative, the following new Clean Water and Forest ("CWF") Overlay is added to the Regional Land Use Element commencing on page II-33 in Policy 2.7, "SPECIAL AREA OVERLAYS," immediately preceding the discussion of the "Coastal (C)" special area overlay. The general location of the lands subject to the CWF Overlay is depicted on Exhibit 1 to this Initiative.

"Clean Water and Forest (CWF)

The CWF Overlay applies to certain lands with particular wilderness, watershed, natural resource, agricultural, or scenic values. The purpose of the overlay is to maintain parcels of a sufficient size to ensure effective conservation of the County's natural resources, and to reduce the adverse impacts of water pollution, air pollution, and traffic that result from sprawling development in rural areas.

1. Location: The overlay applies to all lands that, as of May 22, 2003, satisfied the criteria in paragraphs (a), (b), or (c) below:

- (a) Lands that (i) were within the Rural Development Area or Environmentally Constrained Areas regional categories; and (ii) had a land use designation of (18) Multiple Rural Use, (19) Intensive Agriculture, or (20) General Agriculture; or**

(b) Lands that (i) were within the Estate Development Area regional category; and (ii) had a land use designation of (18) Multiple Rural Use or (19) Intensive Agriculture; and (iii) were within any of the following Subregional or Community Plan Areas: Fallbrook, Lakeside, Pala-Pauma, Pendleton-DeLuz, Rainbow, Ramona, or Crest/Dehesa/Harbison Canyon/Granite Hills; or

(c) Lands that (i) were within the Rural Development Area or Environmentally Constrained Areas regional categories; and (ii) were privately held; and (iii) had a land use designation of (23) National Forest and State Parks.

Lands subject to the CWF Overlay may also be subject to other special area overlays, and the Board of Supervisors may apply the CWF Overlay in other areas besides those described above.

2. Minimum Parcel Size: Within the CWF Overlay, the following minimum parcel sizes shall apply to the creation of new parcels:

<u>Regional Land Use Category as of May 22, 2003</u>	<u>Min. Parcel Size</u>
Within Estate Development Area	40 acres
Within Rural Development Area	80 acres
Within Environmentally Constrained Areas Inside the County Water Authority Boundary	40 acres
Within Environmentally Constrained Areas Outside the County Water Authority Boundary	160 acres

Nothing in this policy shall preclude the use of clustering or density bonuses where otherwise authorized.

3. Voter Approval Requirement

Until December 31, 2023, any General Plan amendment that would amend any provision adopted, amended, or readopted, by Section Two of the Clean Water and Forest Initiative shall require passage of a ballot measure approved by a majority of County voters voting thereon, except as set forth in subparagraphs (A) through (D) below:

(A) The San Diego County Board of Supervisors ("Board") may amend the General Plan, pursuant to its usual procedures, to: (i) increase minimum parcels sizes for lands subject to the CWF Overlay; (ii) add additional lands to the CWF Overlay; or (iii) reorganize, renumber, or reorder the General Plan goals, policies, and text adopted, amended, or readopted by the Clean Water and Forest Initiative.

(B) The Board may amend the General Plan to remove land from within the CWF Overlay if each of the following conditions is satisfied: (i) Upon request of an affected landowner, the Board finds that, based on substantial evidence in the record, denial of the amendment would constitute an unconstitutional taking of the landowner's property for which compensation would be required; and (ii) in permitting the amendment, the Board allows only the additional area of development that the Board finds is necessary to avoid said unconstitutional taking.

(C) The Board may amend the General Plan to remove land from within the CWF Overlay where the Board determines that doing so is necessary to comply with State law governing the provision of housing. The Board may do so only if it first makes each of the following findings based on substantial evidence in the record: (i) a specific provision of State law requires the County to accommodate the proposed housing; (ii) the amount of land removed from the CWF Overlay is no greater than necessary to accommodate the required housing; (iii) no alternative site outside of the CWF Overlay could be used to satisfy the applicable State housing law; and (iv) the proposed housing will be located adjacent to already developed lands and roads, unless locating the development in such areas would result in greater environmental impacts, would conflict with state or federal law, or would not be possible.

(D) The Board may amend the General Plan to remove land from within the CWF Overlay if, upon request of an affected landowner and based upon substantial evidence in the record, the Board first makes each of the following findings by at least a four-fifths (4/5th) vote: (i) the amendment would not cause any direct, indirect, or cumulative significant and unmitigated adverse environmental impacts to traffic, water supply, water quality, air quality, agricultural resources, visual resources, and/or biological resources; (ii) the amendment would not

adversely affect the stability of land use patterns in the area (i.e., would not introduce or facilitate a use that is incompatible with adjoining or nearby uses or that would promote creation of additional parcels in the CWF Overlay smaller than the sizes specified in paragraph 2, above); and (iii) any new parcel of land created by the amendment would have access to an existing publicly maintained road without the necessity of significant grading.

SECTION THREE CONFORMING GENERAL PLAN AMENDMENTS

In light of the General Plan amendments set forth above in Section Two of this Initiative, the San Diego County General Plan is hereby further amended as set forth below in order to promote internal consistency among the various elements of the General Plan. In this Section Three, text to be inserted into the General Plan pursuant to this Initiative is indicated in ***bold italic***; text to be deleted is indicated in ~~striketrough~~, and text in standard type currently appears in the General Plan and remains unchanged by this Initiative. To avoid confusion, headings in existing General Plan text that presently appear in **bold** or *italic* type are shown as plain text. With the exception of certain amendments described in subparagraphs C, G, and J below, the text adopted in the following amendments may be further amended as the Board of Supervisors deems appropriate without a vote of the people pursuant to the County's usual procedures for amending the General Plan.

A. Regional Land Use Element Policy 1.3, "ESTATE DEVELOPMENT AREA (EDA)," commencing on page II-8, is amended as indicated below:

"1.3 ESTATE DEVELOPMENT AREA (EDA)

The EDA combines agricultural and low density residential uses (parcels sizes of two to twenty acres will ***generally*** apply; ***40-acre minimum parcel sizes shall apply to EDA lands within the Clean Water and Forest Overlay to protect significant resource values***). Included in the category are those areas outside the Urban Limit Line but within the boundaries of the County Water Authority.

- Where authorized, parcel sizes of two to twenty acres or larger will be permitted depending on the slope criteria in the underlying community or subregional plan land use designations.
- Clustering will be permitted in any land use designation found compatible with the Estate Development Category; however, clustering may be limited by conditions stated in the community or subregional plan text and to appropriate areas designated on the community or subregional plan map. Clustering as used in this policy is a development technique in which buildings or lots are grouped or "clustered," through an on-site transfer of density, rather than distributed evenly throughout the project site as in a conventional subdivision. It is intended that smaller lots shall be clustered on the more level areas in compensation for larger lots on the steeper slopes. The total number of building lots or dwelling units in a cluster development shall not exceed the number which is allowed by the applicable land use designation, ***any applicable special area overlay***, and zoning.
- Planned development, lot area averaging, and specific plan projects which utilize the clustering technique shall conform to the following standards, as well as to other applicable County regulations, ***including any applicable special area overlay***; except that specific plan projects that are located in the Specific Plan Area (21) land use designation and are 500 acres or greater in area are exempt from the standards. ***Subject to the minimum parcels sizes established for the Clean Water and Forest Overlay, the following*** These standards shall apply to residential, commercial and industrial development.
 - At least 40% of the project is in a permanent open space easement.
 - No more than one dwelling unit, along with permitted accessory structures and uses, shall be permitted on any lot in a cluster development.
 - The minimum parcel size of all parcels not served by sewers, or a package treatment plant, is at least one acre. However, in areas where the predominant slope exceeds 25% grade, no lot shall be smaller than four acres.
 - The minimum parcel size of parcels served by sewers, or a package treatment plant, is one acre. However, where permitted by the applicable community or subregional plan a minimum parcel size of one-half acre may be allowed provided the

resultant development can be found to be compatible with the surrounding area and does not exceed the overall density permitted by the existing land use designation and zoning. In areas where the predominant slope exceeds 25% grade, no lot shall be smaller than four acres. Compatibility shall be based on uses, housing types, lot sizes, and any other relevant factors.

-- Where groundwater is the sole source of water supply, proof of a long-term groundwater supply is provided consistent with County Groundwater Policy I-77.

-- The project would not have a more significant environmental effect than would an equivalent non-clustered development.

-- The project conforms to any additional criteria, standards or limitations which may be required by the applicable community or subregional plan."

B. Regional Land Use Element Policy 1.4, "RURAL DEVELOPMENT AREA (RDA)," commencing on page II-9, is amended as indicated below:

"1.4 RURAL DEVELOPMENT AREA (RDA)

The RDA includes much of the privately owned properties outside the service boundaries of the County Water Authority. This area is primarily made up of agricultural or unimproved lands and remote pockets of residential development. Parcel sizes will generally be dictated by the availability of groundwater and other environmental and resource constraints ***in addition to any applicable minimum parcel sizes established for the Clean Water and Forest Overlay.***

-- Where authorized, parcel sizes of four to twenty acres or larger will be permitted depending upon the land use designations on the applicable community or subregional plan map, and the guidelines for land development as stated in the County Groundwater Policy.

-- Clustering will be permitted in any land use designation found compatible with the Rural Development Category; however, clustering may be limited by conditions stated in the community or subregional plan text and to appropriate areas designated on the community or subregional plan map. Clustering as used in this policy is a development technique in which buildings or lots are grouped or "clustered," through an on-site transfer of density, rather than distributed evenly throughout the project site as in a conventional subdivision. It is intended that smaller lots shall be clustered on the more level areas in compensation for larger lots on the steeper slopes. The total number of building lots or dwelling units in a cluster development shall not exceed the number which is allowed by the applicable land use designation, ***any applicable special area overlay,*** and zoning.

-- Planned development, lot area averaging, and specific plan projects which utilize the clustering technique shall conform to the following standards, as well as to other applicable County regulations, ***including any applicable special area overlay.*** These standards shall apply to residential, commercial and industrial development.

-- At least 40% of the project is in a permanent open space easement.

-- No more than one dwelling unit, along with permitted accessory structures and uses, shall be permitted on any lot in a cluster development.

-- The minimum parcel size is at least two acres. However, in areas where the predominant slope exceeds 25% grade, no lot shall be smaller than eight acres, and in areas where the predominant slope exceeds 50% grade, no lot shall be smaller than 20 acres.

-- The project would not have a more significant environmental effect than would an equivalent non-clustered development.

-- Proof of a long-term groundwater supply is provided consistent with County Groundwater Policy I-77.

-- The project conforms to any additional criteria, standards or limitations which may be required by the applicable community or subregional plan."

C. Regional Land Use Element Policy 1.6, "ENVIRONMENTALLY CONSTRAINED AREAS (ECA)," commencing on page II-12, is amended as indicated below. Pursuant to the 1993 Forest Conservation Initiative, the existing text reproduced in Policy 1.6 may not be further amended without a vote of the people until December 31, 2010. Any other language shown in the text

amended by this subparagraph C may be further amended by the Board of Supervisors as it deems appropriate without a vote of the people pursuant to the County's usual procedures for amending the General Plan.

"1.6 ENVIRONMENTALLY CONSTRAINED AREAS (ECA)

ECA include floodplains, lagoons, areas with construction quality sand deposits, rock quarries, agricultural preserves, areas containing rare and endangered plant and animal species, and all private land-holdings as defined in subsection (b) of designation (23) as amended by the Forest Conservation Initiative (FCI) within the Cleveland National Forest outside CT. Development in these areas, while guided by the County General Plan, should be preceded by thorough environmental review and implementation of appropriate measures to mitigate adverse impacts. ***Parcel sizes will generally be dictated by environmental and resource constraints in addition to any applicable minimum parcel size established for the Clean Water and Forest Overlay.***

- Uses and densities will be those permitted by the applicable community and subregional plan map; the County Zoning Ordinance; the Groundwater Policy; and, ***pursuant to the 1993 Forest Conservation Initiative***, for private land-holdings in the Cleveland National Forest and outside of CT designated National Forest and State Parks (23) a 40 acre minimum parcel size shall apply and a one (1) unit per parcel maximum density. ***For ECA lands outside the County Water Authority boundary that are subject to the Clean Water and Forest Overlay, including lands that are also protected by the 1993 Forest Conservation Initiative, a 160-acre minimum parcel size shall apply.***
- The resource responsible for the designation of an ECA shall be identified and appropriate mitigation measures included in any project approval.
- Flood prone areas which are not planned for stabilization will be retained in natural, open and other non-urban uses.
- Areas designated Agricultural Preserve shall be designated 'ECA.'

D. The description of the "(18) Multiple Rural Use" land use category, commencing on page II-21 of the Regional Land Use Element, is amended as indicated below:

"(18) Multiple Rural Use

This Designation is applied in areas with one or more of the following characteristics: not highly suited for intensive agriculture; rugged terrain; watershed; desert lands; lands susceptible to fires and erosion; lands which rely on groundwater for water supply; and other environmentally constrained areas. The Multiple Rural Use Designation is typically, but not necessarily exclusively, applied in remote areas to broad expanses of rural land with overall low population density and with an absence of most public services.

Minimum allowable parcel sizes are based on ***the most restrictive of the following: (1) limitations established for the Clean Water and Forest Overlay, where applicable; (2) slope criteria; and (3) criteria established in the County Groundwater Policy. The more restrictive criteria determines the minimum parcel size.***

Slope Criteria:

- Where the average slope of a proposed parcel does not exceed 25%: four acre minimum parcel size.
- Where the average slope of a proposed parcel is greater than 25% and does not exceed 50%: eight acre minimum parcel size.
- Where the average slope of a proposed parcel is greater than 50%: 20 acre minimum parcel size.

Other than a single-family home on an existing lot, it is not intended that any development occur unless the proposed development has been carefully examined to assure that there will be no significant adverse environmental impacts, erosion and fire problems will be minimal, and no urban levels of service will be required. Notwithstanding any provision of this paragraph to the contrary, a public improvement project may be approved when there are significant adverse environmental impacts if the County decision-maker adopts findings which demonstrate that the significant adverse environmental impacts have been mitigated to the greatest extent feasible and that the project is necessary to protect the public health and safety.

Minimum allowable parcel sizes are as specified above, provided that requirements for adequate immediate and long-term water supply and subsurface sewage disposal can be met, provided that

when environmental analysis indicates that significant unmitigable impacts could occur as a result of the parcel size proposed then larger parcel sizes will be required.

Clustering when located within the CRDA or RDA Categories of the RLUE (Policies 1.55, 1.3 and 1.4) is permitted within this Designation. The minimum parcel size and maximum number of dwelling units in such cluster development shall be governed by the applicable regional policy. In computing the theoretical maximum number of dwelling units, the following density factors shall apply:

- Where the average slope of the project area does not exceed 25%: 0.25 dwelling unit per gross acre.
- Where the average slope of the project area is greater than 25% and does not exceed 50%: 0.125 dwelling unit per gross acre.
- Where the average slope of the project area is greater than 50%: 0.05 dwelling unit per gross acre.

In both cluster and non-cluster projects, the actual parcel size may be increased and the number of dwelling units decreased for reasons of environmental protection or for neighborhood compatibility or for other reasons necessary to protect the public health, safety or welfare.

This Designation is consistent with the CRDA, EDA, RDA, CT, ECA, and SSA Categories of the RLUE."

E. The description of the "(19) Intensive Agriculture" land use category, commencing on page II-23 of the Regional Land Use Element, is amended as indicated below:

"(19) Intensive Agriculture

This designation promotes a variety of agricultural uses including minor commercial, industrial and public facility uses appropriate to agricultural operations or supportive of the agricultural population.

Pursuant to the Clean Water and Forest Initiative, the minimum parcel size for lands that are subject to the Clean Water and Forest Overlay shall be as specified by that overlay. For lands that are not within the Clean Water and Forest Overlay, the (19) Intensive Agriculture This designation permits two, four and eight acre parcels under the following circumstances.

Two acre minimum parcel size when the following findings are made:

- At least 80% of the land of a proposed parcel does not exceed 25% slope; and
- The land is planted, and has been planted, for at least the previous one-year period, in one or more commercial crops that remain commercially viable on two acre lots; and
- A continuing supply of irrigation water is available to the land; and
- The land has access to a publicly maintained road without the necessity of a significant amount of grading; and
- Two acre parcels on the land will not have a significant adverse environmental impact which cannot be mitigated.

Four-acre minimum parcel size where the average slope of a proposed parcel does not exceed 25% and the above findings cannot be made.

Eight-acre minimum parcel size where the average slope of a proposed parcel is greater than 25%.

In connection with commercial, industrial, public facility, public utility, electronic installations, and other specialized uses, a smaller parcel size may be permitted, provided on-site sewage disposal, zoning, and other site development requirements can be met.

Clustering when located within the CRDA, EDA or RDA Categories of the RLUE (Policies 1.55, 1.3 and 1.4) is permitted within this designation. The minimum parcel size and maximum number of dwelling units in such cluster development shall be governed by the applicable Regional Policy. In computing the theoretical maximum number of dwelling units, the following density factors shall apply:

- Where at least 80% of the project area does not exceed 25% slope: 0.5 dwelling unit per gross acre.
- Where the average slope of the project area does not exceed 25%: 0.25 dwelling unit per gross acre.

-- Where the average slope of the project area is greater than 25%: 0.125 dwelling unit per gross acre.

Pursuant to the Clean Water and Forest Initiative, the total number of parcels in a cluster development shall not exceed the number of parcels allowed (without clustering) by the Clean Water and Forest Overlay, where applicable. In both cluster and non-cluster projects, the actual parcel size may be increased and the number of dwelling units decreased for reasons of environmental protection or for neighborhood compatibility or for other reasons necessary to protect the public health, safety or welfare.

This designation is consistent with all categories of the RLUE.”

F. The description of the “(20) General Agriculture” land use category, commencing on page II-24 of the Regional Land Use Element, is amended as indicated below:

“(20) General Agriculture

Clustering is permitted within this designation pursuant to Action Program 2.6 in the Conservation Element.

This designation is applied to areas where agricultural use is encouraged, protected and facilitated. This designation is intended to facilitate agricultural use as the dominant land use. Uses supportive of and/or compatible with agriculture, including low density residential, are also permitted. Residential density allowed by this designation is lower than that allowed by the (19) Intensive Agriculture Designation.

Lot coverage is liberal allowing development of lots with large or multiple agricultural buildings such as greenhouse operations or egg production operations. The lot coverage factor in this designation should not exceed 0.8. Zoning building height designators allowing structures in excess of 35 feet or two stories shall not be applied to land in this designation.

Based on data from the 1990 census, each dwelling unit in the unincorporated area has an average of three people. **Pursuant to the Clean Water and Forest Initiative, the minimum parcel size for lands that are subject to the Clean Water and Forest Overlay shall be as specified by that overlay. For lands that are not within the Clean Water and Forest Overlay (e.g., because the County has granted an exemption), the (20) General Agriculture** This designation permits a maximum residential density of;

- One dwelling unit per ten acres: land located within the boundary of the County Water Authority as of May 1998.
- One dwelling unit per 40 acres: lands not meeting the criteria for ten acres.

This designation is consistent with all categories of the RLUE. References in the General Plan text to the Agricultural Preserve Designation, such as those in Policy 1.6 of the RLUE, shall be deemed to refer to the (20) General Agriculture Designation.”

G. The description of the “(23) National Forest and State Parks” land use category, commencing on page II-28 of the Regional Land Use Element, is amended as indicated below. Pursuant to the 1993 Forest Conservation Initiative, the existing text reproduced below as the first sentence of subparagraph 23(a) and all but the last sentence of subparagraph 23(b) may not be further amended without a vote of the people until December 31, 2010. Any other language shown in the text amended by this subparagraph G may be further amended by the Board of Supervisors as it deems appropriate without a vote of the people pursuant to the County’s usual procedures for amending the General Plan.

“(23) National Forest and State Parks

(a) The National Forest and State Parks (23) designation indicates the planned boundaries and major land-holdings of the Cuyamaca Rancho State Park and Anza-Borrego State Park. It is the intent of this designation that the appropriate governmental agency will be notified prior to the approval of any proposal by a property owner to use or develop any land within the land use designation. Under California Code Section 884, a reasonable period of time will be given for the appropriate public agency to respond to such notice.

Pursuant to the Clean Water and Forest Initiative, for areas in private ownership, the minimum parcel size for lands that are subject to the Clean Water and Forest Overlay shall be as specified by that overlay. For lands that are not within the Clean Water and Forest Overlay, lot sizes shall be determined by the following criteria and standards:

- Where the average slope of a proposed parcel does not exceed 25% and each parcel has frontage on a publicly maintained road, or a road which connects to a public road; has a forty foot minimum right-of-way and meets large-lot subdivision standards for improvements and geometrics: four-acre minimum parcel size.
- Where the average slope of a proposed parcel is greater than 25% and does not exceed 50%: eight-acre minimum parcel size.
- Where the average slope of a proposed parcel is greater than 50%: twenty-acre minimum parcel size.

Clustering when located within the CRDA, EDA or RDA Categories of the RLUE (Policies 1.55, 1.3 and 1.4) is permitted within this designation. The minimum parcel size and maximum number of dwelling units in such cluster development shall be governed by the applicable Regional Policy. In computing the theoretical maximum number of dwelling units, the following density factors shall apply:

- Where the average slope of the project area does not exceed 25%: 0.25 dwelling unit per gross acre.
- Where the average slope of the project area is greater than 25% and does not exceed 50%: 0.125 dwelling unit per gross acre.
- Where the average slope of the project area is greater than 50%: 0.05 dwelling unit per gross acre. In both cluster and non-cluster projects, the actual parcel size may be increased and the number of dwelling units decreased for reasons of environmental protection or for neighborhood compatibility or for other reasons necessary to protect the public health, safety or welfare.

(b) The National Forest and State Parks (23) designation also applies to all private land-holdings lying within the boundaries of the Cleveland National Forest and outside of CT. For purposes of this subsection, "private land-holdings" means lands held in fee title by any person or entity other than the Federal, State, County or local government. A map of the Cleveland National Forest is incorporated herein for purposes of showing the outer boundaries of the Cleveland National Forest. For all parcels identified above, a forty (40) acre minimum parcel size and a maximum residential building intensity of one dwelling unit per parcel shall apply. **(Such parcels will also generally be subject to the 160-acre minimum parcel size established by the Clean Water and Forest Initiative.)** The provisions described in subsection (a) above concerning lot sizes and clustering on lands within Cuyamaca Rancho State Park and Anza-Borrego State Park shall not apply to private land-holdings within the Cleveland National Forest.

Except as provided hereinafter, until December 31, 2010, private land-holdings inside the boundaries of the Cleveland National Forest and outside CT which are designated National Forest and State Parks (23) in the San Diego County General Plan shall remain so designated unless the County redesignates said land pursuant to the procedures set forth below in paragraphs (1) or (2) of this subsection.

(1) Private land-holdings inside the boundaries of the Cleveland National Forest and outside CT which are designated National Forest and State Parks (23) may be removed from this designation if all of the following Findings (a-e) are made:

- (a) That the approval will not constitute part of, or encourage, a piece-meal conversion of a larger Cleveland National Forest area to residential or other non-open space uses;
- (b) Adequate public services and facilities are available and have the capability to accommodate the proposed use by virtue of the property being within or annexed to appropriate service districts;
- (c) The proposed use and density are compatible with the environmental resources of the Cleveland National Forest and will not adversely affect the stability of land use patterns in the area;
- (d) Incorporation or annexation to a city is not appropriate or possible within the next five years, based on the following factors: nearby cities' designated sphere of influence boundaries, city general plan limits and projections, and comprehensive annexation plans; and
- (e) The land proposed for redesignation does not exceed 40 acres for any one landowner in any calendar year. One landowner may not redesignate lands designated National Forest and State Parks (23) more often than once every year. Landowners with any unity of interest are considered one landowner for purposes of this limitation.

(2) Lands designated National Forest and State Parks (23) may be removed from this designation if the County, after challenge by an affected landowner, and after considering all facts and applicable legislative and judicial authority in support of this designation, finds that denial of a redesignation would constitute an unconstitutional taking of the landowner's property or would deprive the landowner of a vested right. In permitting a redesignation pursuant to this paragraph, the redesignation will be granted only after public notice and hearing and only to the minimum extent necessary to avoid said unconstitutional taking or deprivation of vested right.

This designation is consistent with all categories of the Regional Land Use Element."

H. The table entitled "NON-URBAN RESIDENTIAL DESIGNATIONS AND USE REGULATIONS," on page II-20 of the Regional Land Use Element, is amended as shown below. (For reference purposes, the text of the NON-URBAN RESIDENTIAL DESIGNATIONS AND USE REGULATIONS table is attached to this Initiative as Exhibit 4.)

- (i) By inserting an asterisk (*) immediately following the land use designation "(18) Multiple Rural Use"
- (ii) By adding the following additional text immediately following this table:

"* On (18) Multiple Rural Use lands subject to the Clean Water and Forest Overlay, minimum parcels sizes are as established for that overlay."

I. The table entitled "AGRICULTURAL DESIGNATIONS AND USE REGULATIONS," on page II-26 of the Regional Land Use Element, is amended as shown below. (For reference purposes, the text of the AGRICULTURAL DESIGNATIONS AND USE REGULATIONS table is attached to this Initiative as Exhibit 5.)

- (i) By inserting an asterisk (*) immediately following the land use designations "(19) Intensive Agriculture" and "(20) General Agriculture"
- (ii) By adding the following additional text immediately following this table:

"* On (19) Intensive Agriculture and (20) General Agriculture lands subject to the Clean Water and Forest Overlay, minimum parcels sizes are as established for that overlay."

J. The asterisk following the table entitled "SPECIAL PURPOSE DESIGNATIONS AND USE REGULATIONS," which table commences on page II-26 of the Regional Land Use Element, is amended as shown below. (For reference purposes, the text of the SPECIAL PURPOSE DESIGNATIONS AND USE REGULATIONS table is attached to this Initiative as Exhibit 6.) Pursuant to the 1993 Forest Conservation Initiative, the existing text reproduced in this asterisk may not be further amended without a vote of the people until December 31, 2010. Any other language shown in the text amended by this subparagraph J may be further amended by the Board of Supervisors as it deems appropriate without a vote of the people pursuant to the County's usual procedures for amending the General Plan.

"* On private land-holdings as defined in subsection (b) of designation (23) as amended by the FCI within the Cleveland National Forest, and outside CT, the maximum residential density is one unit per 40 acres. (Such lands--as well as private land-holdings designated (23) National Forest and State Parks under subsection (a) of designation (23)--will also generally be subject to the 160-acre minimum parcel size established by the Clean Water and Forest Initiative.)"

K. Part II, Valley Center Community Plan (which is part of the General Plan) is hereby amended as shown below:

- (i) By amending the third paragraph, on page 6, under "GENERAL GOALS", as follows
"PROVIDE A LAND USE PATTERN THAT ACCOMMODATES AND PROVIDES FOR PRIMARILY RURAL RESIDENTIAL DEVELOPMENT ON TWO ACRE **OR LARGER (WHERE REQUIRED BY THE CLEAN WATER AND FOREST OVERLAY)** HOME SITES."

- (ii) By amending Policy 10, on page 8, as follows:

"10. With the exception of Land Use Designation (21) Specific Plan Area, **lands subject to the Clean Water and Forest Overlay**, the Country Town area, existing smaller parcels, clustered projects and the Circle R Specific Plan the minimum parcel size within the Valley Center Community Planning Area shall be two acres (to preserve rural community character)."

L. Part XI, Alpine Community Plan (which is part of the General Plan) is hereby amended as shown below:

- (i) By amending Goal 1(D), on page 3, as follows:

"D. RURAL DEVELOPMENT AREA

PRESERVE AND MAINTAIN THE OVERALL RURAL CHARACTER OF THE RURAL DEVELOPMENT AREA (FOUR ACRE MINIMUM ZONING OUTSIDE THE BOUNDARIES OF THE COUNTY WATER AUTHORITY; 80 ACRE MINIMUM PARCEL SIZE ON LANDS SUBJECT TO THE CLEAN WATER AND FOREST OVERLAY) OUTSIDE THE ESTATE RESIDENTIAL DEVELOPMENT AREA."

- (ii) By amending Policy 4, on page 8, as follows:

"4. "RDA" Rural Development Area

- a. Within the Rural Development Area (RDA) boundaries residential density shall be permitted between 1 dwelling unit per 4, 8, and 20, **and 80** acres, ~~including land use designation (18) Multiple Rural Use at 1 dwelling unit per 4, 8 or 20 acres~~ **provided that lands subject to the Clean Water and Forest Overlay shall be subject to the minimum parcel sizes established for that overlay. [R,P]"**

M. Part XIV, Ramona Community Plan (which is part of the General Plan) is hereby amended as shown below:

- (i) By amending Table 1, on page 8, to insert three asterisks (*) and a note following the table, as follows:

"TABLE 1

<u>LAND USE DESIGNATION</u>	<u>APPROXIMATE NUMBER OF ACRES</u>
(22) Public/Semi-Public	9,200 acres
(21) Specific Planning Area	9,600 acres
(20) General Agriculture (1 du/10 & 40 ac) (*)	25,500 acres
(19) Intensive Agriculture (1 du/2, 4 ac) (*)	10,000 acres
(18) Multiple Rural Use (1 du/4, 8, 20 ac) (*)	19,100 acres
(17) Estate Residential (1 du/2, 4 ac)	4,800 acres
(16) General Impact Industrial	167 acres
(15) Limited Impact Industrial	62 acres
(14) Service Commercial	82 acres
(13) General Commercial	153 acres
(11) Office-Professional	87 acres
(10) Residential (24 du/ac)	23 acres
(8) Residential (14.5 du/ac)	157 acres
(6) Residential (7.3 du/ac)	277 acres
(5) Residential (4.3 du/ac)	21 acres
(3) Residential (2.0 du/ac)	600 acres
(1) Residential (1 du/1, 2, 4 ac)	2,162 acres

*** On (18) Multiple Rural Use, (19) Intensive Agriculture, and (20) General Agriculture lands subject to the Clean Water and Forest Overlay, minimum parcel sizes are as established by that overlay."**

- (ii) By amending the "FINDINGS", on page 11, as follows:

"The Ramona Community Plan allocates residential land use designations in a range of densities from 24 dwelling units per acre down to one unit per acre and one unit per two acres. Additionally, residential units will be permitted at very low densities (1 dwelling unit per 4, 8, or 20 acres, or, ~~40 acres on the Forest Conservation Initiative [FCI] affected lands~~ **for lands subject to the Clean Water and Forest Overlay, minimum parcel sizes of 40 to 160 acres**) throughout the agricultural and mountainous areas. The arrangement of higher density residential land uses is focused in the Town Center, as shown on Page 10, adjacent to schools, other facilities and services, and the main commercial area. It is the intent of the Plan to emphasize the residential and commercial development of the Town Center, accommodating approximately one-third of the population growth expected in the Planning Area over the next 20 years.

Properties on one acre or less will not develop at the planned densities until they can be served by sewer. Presently, only portions of the Town Center and San Diego Country Estates are served by the Ramona Sewer District.”

N. Part XX, Mountain Empire Subregional Plan (which is part of the General Plan) is hereby amended as shown below:

(i) By amending the “FINDINGS,” on page 3, as follows:

“The Mountain Empire Subregion is expected to grow from its present population of approximately 3,600 to some 10,500 persons by the year 2005. There is a need to provide sufficient land area and density to accommodate this projected growth within the Subregion. The distribution of this population projection will likely result in the following pattern:

Tecate, approximately 255 persons
Potrero, approximately 660 persons
Campo, approximately 3,700 persons
Boulevard, approximately 2,100 persons
Jacumba, approximately 3,800 persons

All residents of the Mountain Empire Subregion are aware of the importance that must be given to protecting the unique quality of the area’s natural resources. Existing trees, rock outcroppings, hillsides, and meadows are significant resources that contribute to the character and beauty of the Subregion.

The Mountain Empire Subregion is totally dependent on groundwater resources; surface runoff is meager and too variable to be used as a water supply and importation of water is not a viable option for the foreseeable future. The availability of groundwater varies from community to community but, generally, future development will require **at least** eight (8) acre minimum lot sizes to ensure long term availability of groundwater. ***Outside of Country Towns, privately held land within the subregion will also generally be subject to the 40 to 160 acre minimum parcel sizes established by the Clean Water and Forest Overlay.***

There have been increased demands on law enforcement agencies along the international border in recent years and a greater need for law enforcement and fire protection activities is anticipated in future years.”

(ii) By amending policy and recommendation 4, on page 4, as follows:

“4. Provide for a land use pattern in accordance with Board of Supervisors Groundwater Policy I-77 which is characterized by large lot sizes (5, 8, or larger acre minimum where appropriate). ***The minimum parcel size for lands subject to the Clean Water and Forest Overlay shall be as specified for that overlay.***”

SECTION FOUR IMPLEMENTATION

A. Effective Date. As provided in Elections Code section 9122, this Initiative shall take effect ten days after the date on which the election results are declared by the Board of Supervisors. Upon the effective date of this Initiative, the provisions of Sections Two and Three of the Initiative are hereby inserted into the County of San Diego General Plan as an amendment thereof, except that if the four amendments of the mandatory elements of the General Plan that are permitted by State law for any given calendar year have already been utilized in the calendar year in which the Initiative becomes effective, this General Plan amendment shall be the first amendment inserted in the County’s General Plan on January 1 of the next year. Upon the effective date of this Initiative, any provisions of the County of San Diego Zoning Ordinance—as reflected in the ordinance itself or the County of San Diego Zoning Map—that are inconsistent with the General Plan amendments adopted by this Initiative shall not be enforced.

B. Interim Amendments. The County of San Diego General Plan in effect at the time the Notice of Intention to circulate this Initiative was submitted to the County of San Diego Elections Official on May 22, 2003 (“Submittal Date”), and that General Plan as amended by this Initiative, comprise an integrated, internally consistent and compatible statement of policies for the County of San Diego. In order to ensure that the County of San Diego General Plan remains an integrated, internally consistent and compatible statement of policies for the County as required by State law and to ensure that the actions of the voters in enacting this Initiative are given effect, any provision of the General Plan that is adopted between the Submittal Date and the date that the General Plan is amended by this measure shall, to the extent that such interim-enacted provision is inconsistent with the General Plan provisions adopted by Sections Two and Three of this Initiative, be amended as soon as possible and in the manner and time required by State law to ensure consistency between the provisions adopted by this Initiative and other elements of the County’s General Plan.

C. Other County Ordinances and Policies. The County of San Diego is hereby authorized and directed to amend the General Plan, all subregional, community, and specific plans, the zoning ordinance, and other ordinances and policies affected by this Initiative as soon as possible and in the manner and time required by any applicable State law to ensure consistency between the goals, objectives and policies adopted in Section Two of this Initiative and other elements of the County's General Plan, all subregional, community, and specific plans, the zoning ordinance, and other County ordinances and policies.

SECTION FIVE EXEMPTIONS FOR CERTAIN PROJECTS

This Initiative shall not apply to any of the following: (1) any project that has obtained as of the effective date of the Initiative a vested right pursuant to State or local law; (2) any area that, under State or federal law, is beyond the power of the local voters to affect by the initiative power reserved to the people via the California Constitution. Nothing in this Initiative precludes the use of density bonuses in accordance with applicable law.

SECTION SIX SEVERABILITY AND INTERPRETATION

This Initiative shall be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part, or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Initiative. The voters hereby declare that this Initiative, and each section, sub-section, sentence, clause, phrase, part, or portion thereof would have been adopted or passed even if one or more sections, sub-sections, sentences, clauses, phrases, parts, or portions are declared invalid or unconstitutional. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity shall not affect any application of this Initiative that can be given effect without the invalid application. This Initiative shall be broadly construed in order to achieve the purposes stated in this Initiative.

SECTION SEVEN EFFECT OF OTHER MEASURES ON SAME BALLOT

This Initiative adopts a comprehensive scheme for protecting certain of San Diego County's rural lands from being prematurely or unnecessarily developed without prior approval by County voters. By voting for this Initiative, the voters expressly declare their intent that any other measure which appears on the same ballot as this Initiative and conflicts with, or purports to amend, any provision of this Initiative, or allows development of lands subject to the CWF Overlay that conflicts with the Overlay's policy for minimum parcel sizes, shall be deemed to conflict with the entire cohesive scheme adopted by this Initiative. Because of this conflict, if this Initiative and any such other measure receive a majority of votes by the voters voting thereon at the same election, then the measure receiving the most votes in favor shall prevail and no provision of the other measure shall take effect.

SECTION EIGHT AMENDMENT OR REPEAL

Except as otherwise provided herein, this Initiative may be amended or repealed only by the voters of the County of San Diego.

Exhibit List

- Exhibit 1** Map showing general location of lands subject to CWF Overlay
- Exhibit 2** Regional Land Use Element Goals (reprinted from Regional Land Use Element pages II-2 to II-4)
- Exhibit 3** A map of the Cleveland National Forest (reprinted from Regional Land Use Element page II-52)
- Exhibit 4** The table entitled "Non-Urban Residential Designations and Use Regulations" (reprinted from Regional Land Use Element page II-20)
- Exhibit 5** The table entitled "Agricultural Designations and Use Regulations" (reprinted from Regional Land Use Element page II-26)
- Exhibit 6** The table entitled "Special Purpose Designations and Use Regulations" (reprinted from Regional Land Use Element page II-26 to II-27)

Enlarged maps of Exhibits 1 and 3 are available for viewing at:

Registrar of Voters Office (Kearny Mesa area)
5201 Ruffin Road, Suite I
San Diego, CA 92123
858-694-3405

Exhibit 1: General Location of Clean Water and Forest Overlay

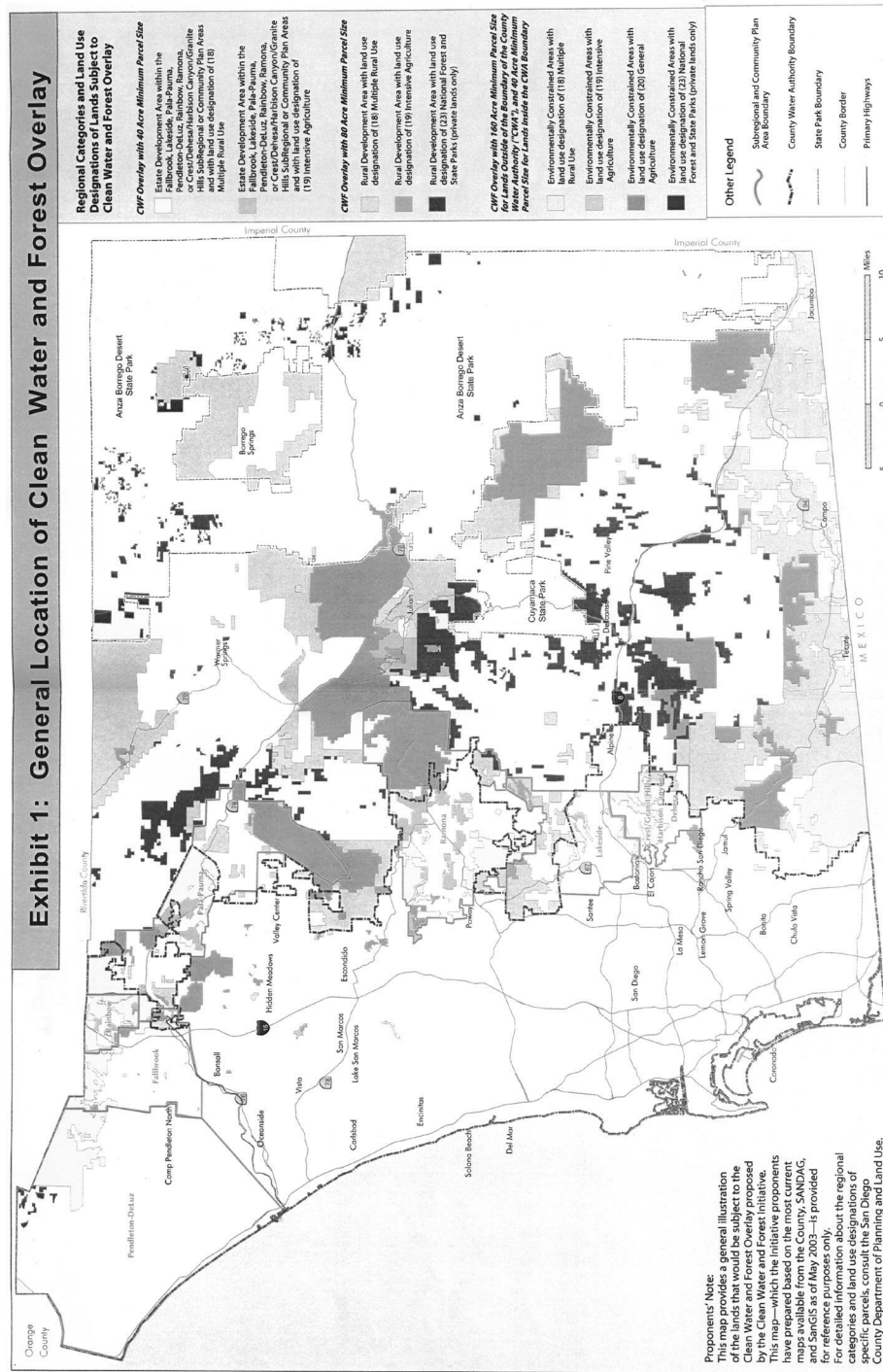


EXHIBIT 2 TO THE CLEAN WATER AND FOREST INITIATIVE

PROPONENTS' NOTE: This exhibit is a copy of the Regional Land Use Element Goals, reprinted from pages II-2 to II-4 of the General Plan's Regional Land Use Element. This exhibit is provided for reference purposes only and, except as expressly provided in Section Two of this Initiative, is not readopted or amended by this Initiative.

GOALS

1. OVERALL GOAL

Accommodate population growth and influence its distribution in order to protect and use scarce resources wisely; preserve the natural environment; provide adequate public facilities and services efficiently and equitably; assist the private sector in the provision of adequate, affordable housing; and promote the economic and social welfare of the region.

IT IS THE GOAL OF THE REGIONAL LAND USE ELEMENT THAT;

- 1.1 Urban growth be directed to areas within or adjacent to existing urban areas, and that the rural setting and lifestyle of the remaining areas of the county be retained.
- 1.2 Growth be phased with facilities.
- 1.3 Growth be managed in order to provide for affordable housing and balanced communities throughout the unincorporated area.
- 1.4 Urban portions of the unincorporated area be encouraged to either annex to an adjacent city or incorporate and that urban levels of service be provided in an efficient manner and be financed using equitable financing mechanisms.

2. LAND USE GOALS

- 2.1 Promote wise uses of the County's land resources, preserving options for future use.
- 2.2 Encourage future urban growth contiguous to existing urban areas and to maximize the use of underutilized lands within existing urban areas.
- 2.3 Retain the rural character of non-urban lands.
- 2.4 Limit urban densities in non-urban areas to lands within existing Country Towns.
- 2.5 Encourage continuance and expansion of agricultural uses in appropriate portions of the unincorporated area.
- 2.6 Ensure preservation of contiguous regionally significant open space corridors.

3. ENVIRONMENTAL GOALS

- 3.1 Protect lands needed for preservation of natural and cultural resources; managed production of resources; and recreation, educational, and scientific activities.
- 3.2 Promote the conservation of water and energy resources.
- 3.3 Achieve and maintain mandated air and water quality standards.

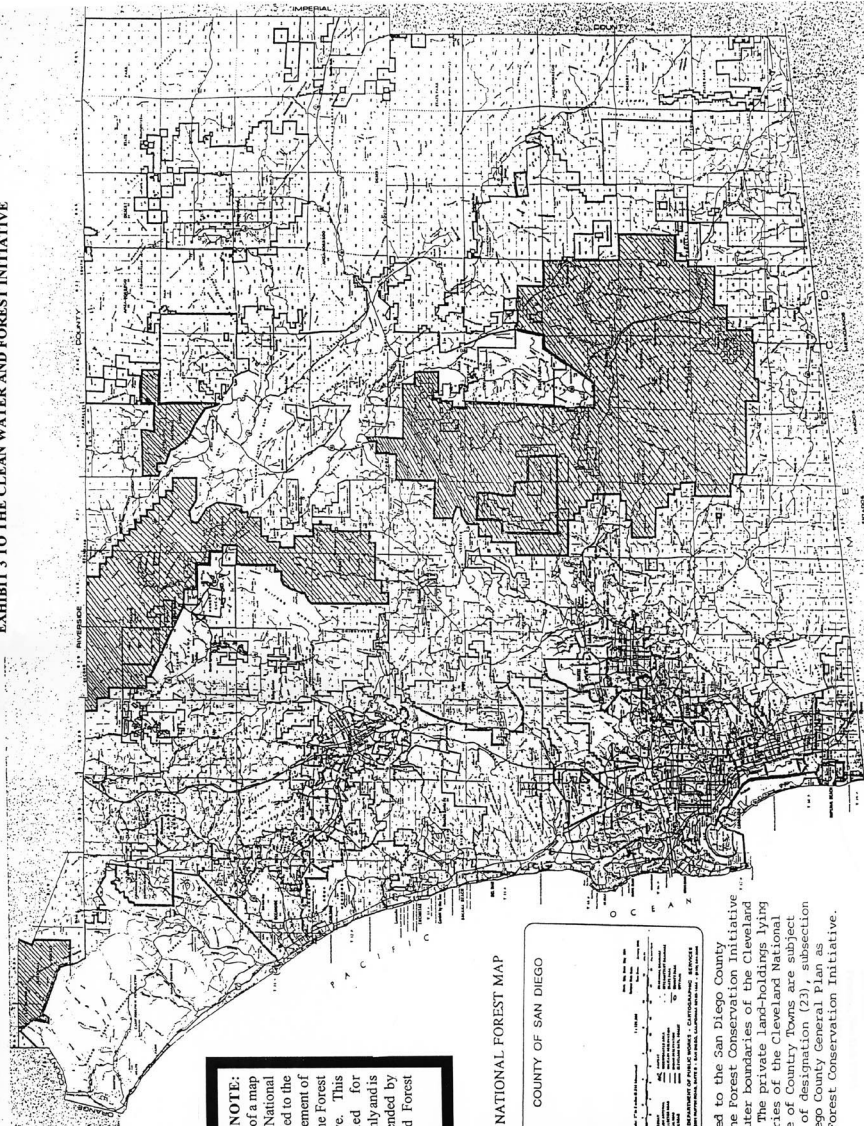
4. CAPITAL FACILITIES GOALS

- 4.1 Assure efficient, economical and timely provision of facilities and services for water, sewer, fire protection, schools and roads to accommodate anticipated development.
- 4.2 Assure that facilities and services provided by all agencies are coordinated in their timing, location and level of service.
- 4.3 Provide a facilities program which is capable of future adjustments or revisions to meet changing needs and conditions.

5. GOVERNMENT STRUCTURE GOALS

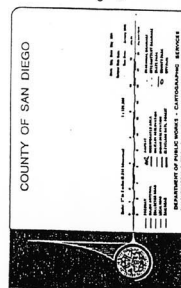
- 5.1 Assure that urban communities are governed in a manner to provide maximum representation and efficient and equitable provision of public services.
- 5.2 Encourage the transition of urban and urbanizing communities in the unincorporated areas to municipal status through annexation to an adjacent city or incorporation.

- 5.3 Assure that urban levels of service are financed using equitable financing mechanisms when municipal status is not achieved.
- 5.4 Coordinate planning efforts with the cities of the region to facilitate annexations and to develop compatible land use strategies.
- 6. HOUSING AND SOCIAL GOALS
 - 6.1 Encourage development of communities that are accessible to a mix of residents representative of the full ranges of age, income and ethnic groups in the region.
 - 6.2 Prevent or reverse deterioration in areas exhibiting symptoms of physical decline by directing public and private investment to upgrade such areas.
 - 6.3 Assist the private sector in the provision of sufficient housing units in the unincorporated area to accommodate regional population projections endorsed by the Board of Supervisors.
 - 6.4 Assist the private sector to assure that adequate, affordable shelter will be available to all socio-economic groups throughout the County.
- 7. ECONOMIC AND FISCAL GOALS
 - 7.1 Assure the fiscal viability of local government while providing services that meet approved standards.
 - 7.2 Provide equitable service pricing and taxation policies which provide a reasonable relationship between levels of service, costs and revenues.
 - 7.3 Promote access to employment opportunities which minimize unemployment and return the maximum income to the residents of the region.



PROPOSERS' NOTE:
This exhibit is a copy of a map of the Cleveland National Forest, which was added to the Regional Land Use Element of the General Plan by the Forest Conservation Initiative. This exhibit is provided for illustrative purposes only and is not redrafted or amended by the Clean Water and Forest Initiative.

THE CLEVELAND NATIONAL FOREST MAP



This map was added to the San Diego County General Plan by the Forest Conservation Initiative to indicate the outer boundaries of the Cleveland National Forest. The private land-holdings lying within the boundaries of the Cleveland National Forest and outside of the boundaries of the Forest are designated as 'Forest' in accordance to the provisions of designation (23) subsection (b) of the San Diego County General Plan as specified in the Forest Conservation Initiative.

EXHIBIT 4 TO THE CLEAN WATER AND FOREST INITIATIVE

PROPONENTS' NOTE: This exhibit is a copy of the table entitled "Non-Urban Residential Designations and Use Regulations," reprinted from page II-20 of the General Plan's Regional Land Use Element. This exhibit is provided for reference purposes only and, except as expressly provided in Section Three of this Initiative, is not readopted or amended by this Initiative.

NON-URBAN RESIDENTIAL DESIGNATIONS AND USE REGULATIONS

USE REGULATIONS

DESIGNATION	Consistent	Special Circumstances
17) Estate Residential	A70, A72, RR, S80, S88 S90, S92, S94,	RR0, RC, C36, C40 C44, S82, S86
(18) Multiple Rural Use	RR, A70, A72, S80, S88 S90, S92, S94	RR0, RC, C36 C40, C44, M50 M52, S82, S86

EXHIBIT 5 TO THE CLEAN WATER AND FOREST INITIATIVE

PROPONENTS' NOTE: This exhibit is a copy of the table entitled "Agricultural Designations and Use Regulations," reprinted from page II-26 of the General Plan's Regional Land Use Element. This exhibit is provided for reference purposes only and, except as expressly provided in Section Three of this Initiative, is not readopted or amended by this Initiative.

AGRICULTURAL DESIGNATIONS AND USE REGULATIONS

USE REGULATIONS

DESIGNATION	Consistent	Special Circumstances
(19) Intensive Agricultural	A70, A72 S80, S88, S90, S94	RC S82, S86
(20) General Agriculture	A70, A72, S80, S88, S90, S94	S82, S86

EXHIBIT 6 TO THE CLEAN WATER AND FOREST INITIATIVE

PROPONENTS' NOTE: This exhibit is a copy of the table entitled "Special Purpose Designations and Use Regulations," reprinted from pages II-26 to II-27 of the General Plan's Regional Land Use Element. This exhibit is provided for reference purposes only and, except as expressly provided in Section Three of this Initiative, is not readopted or amended by this Initiative.

SPECIAL PURPOSE DESIGNATIONS AND USE REGULATIONS USE REGULATIONS

DESIGNATION	Consistent	Special Circumstances
(21) Specific Plan Area	Consistent with all Use Regulations	–
(22) Public/Semi-Public	Consistent with all Use Regulations	–
(23) National Forest/State Parks*	RR A70, S80, S88, S90, S92, S94	RC, C44 A72 S82, S86
(24) Impact Sensitive	RR A70, S80, S88, S90, S92, S94	A72 S82, S86
(25) Extractive	A70, A72 S80, S82, S90, S92 S94 M58 S86	C37, C39, C40 C42, C44, C46 M50, M52, M54
(26) Visitor-Serving Commercial	See Commercial Use Regulations	

*On private land-holdings as defined in subsection (b) of designation (23) as amended by the FCI within the Cleveland National Forest, and outside CT, the maximum residential density is one unit per 40 acres.